



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 8, 2000

Jerd A. Lapham, Treasurer  
Sonoma County Republican Central Committee  
2870 Coddington Mall  
Santa Rosa, CA 95403

RE: MUR 5009

Dear Mr. Lapham:

On May 2, 2000, the Federal Election Commission found that there is reason to believe Sonoma County Republican Central Committee ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) and (iii), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's findings, is attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

In order to expedite the resolution of this matter, the Commission has also decided to offer to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. Enclosed is a conciliation agreement that the Commission has approved.

If you are interested in expediting the resolution of this matter by pursuing preprobable cause conciliation, and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such

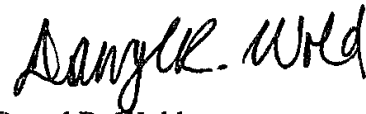
Jerd A. Lapham  
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counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Lisa A. Davis, the staff member assigned to this matter, at (202) 694-1650.

Sincerely,



Darryl R. Wold  
Chairman

Enclosures

Factual and Legal Analysis  
Procedures  
Designation of Counsel Form  
Conciliation Agreement

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**FEDERAL ELECTION COMMISSION**  
**FACTUAL AND LEGAL ANALYSIS**

RESPONDENTS:    Sonoma County Republican Central Committee    MUR: 5009  
                         Jerd A. Lapham, as treasurer

This matter was generated based on information ascertained by the Federal Election Commission ("Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2).

The Federal Election Campaign Act of 1971, as amended ("Act"), requires that all political committees other than authorized committees of a candidate shall file quarterly reports in a calendar year in which a regularly scheduled general election is held, which shall be filed no later than the 15<sup>th</sup> day after the last day of each calendar quarter; except that the report for the quarter ending on December 31 of such calendar year shall be filed no later than January 31 of the following calendar year. 2 U.S.C. § 434(a)(4)(A)(i).

The Act also requires that all political committees other than authorized committees of a candidate shall file a post-general election report, which shall be filed no later than the 30<sup>th</sup> day after the general election and which shall be completed as of the 20<sup>th</sup> day after such general election. 2 U.S.C. § 434(a)(4)(A)(iii).

The Sonoma County Republican Central Committee ("Committee") is a political committee that is not an authorized committee of a candidate. Jerd A. Lapham is the treasurer of the Sonoma County Republican Central Committee.

The Respondents failed to file the Committee's 1998 April Quarterly Report in a timely manner. The Committee's 1998 April Quarterly Report was due April 15, 1998. On December

29, 1997 and March 20, 1998, Prior Notices were sent to the Committee notifying them of the report filing date. A Non-Filer Notice for the 1998 April Quarterly Report was sent to the Committee via mailgram on May 7, 1998. The report was filed on November 9, 1998, 208 calendar days late.

Respondents failed to file the Committee's 1998 July Quarterly Report in a timely manner. The Committee's 1998 July Quarterly Report was due July 15, 1998. On December 29, 1997 and June 19, 1998, Prior Notices were sent to the Committee notifying them of the report filing date. A Non-Filer Notice referencing the July Quarterly Report was sent to the Committee via mailgram on August 17, 1998. Additionally, on August 10, 1998, the Reports Analyst called and left a message for the treasurer concerning the non-filing of the July Quarterly Report. Four days later, on August 14, 1998, a Chronic Late Filer Notice was sent to the Committee for failing to file the 1998 April and July Quarterly reports in a timely manner. The notice advised the Respondents that any additional late filing of reports may result in legal enforcement action.

Subsequent to the mailing of the Chronic Late Filer Notice, the Committee failed to file the October Quarterly, 30 Day Post General and Year End reports in a timely matter. On August 29, 1998, the Reports Analyst received a call from the treasurer of the Committee, Jerd A. Lapham. The Reports Analyst informed Mr. Lapham of the late reports and of the due dates of the future reports. Mr. Lapham stated that the Committee's computer had been stolen and it would take him time to retrieve the missing information. On September 30, 1998, the Reports Analyst called Mr. Lapham and left a message concerning the non-filing of the Committee's 1998 April Quarterly, July Quarterly and 30 Day Post-General Reports. On October 19, 1998, the Reports Analyst spoke to Mr. Lapham who stated that he did not have all the information

needed to file the report. He also stated that he would be filing the reports as soon as possible.

On December 8, 1998, the Reports Analyst called and left another message for Mr. Lapham concerning the non-filing of the Committee's reports. On December 31, 1998, the Committee filed their 1998 July Quarterly and October Quarterly Reports, 169 and 77 calendar days late, respectively. In a cover letter filed with the reports, Mr. Lapham stated that he had "finally caught up with the reports as required" and would "have the next report on time." On March 4, 1999, in lieu of a 1998 30 Day Post-General Report, the Committee filed a Year-End Report covering the period of October 1, 1998 through December 31, 1998.

Therefore, there is reason to believe that the Sonoma County Republican Central Committee and Jerd A. Lapham, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) and (iii) by failing to timely file their 1998 April Quarterly, July Quarterly, October Quarterly, 30 Day Post-General and Year-End reports.